

BUREAU OF INTERNAL AFFAIRS
Investigations Division
General Investigations Section

5 September 2012

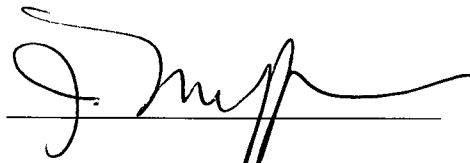
LOG #1049934

TO: Commanding Officer
Investigations Division
General Investigations Section


FROM: Sergeant Joseph Maraffino #2563
Investigations Division
General Investigations Section

SUBJECT: Approval of Complaint Log Investigation #1049934

The attached Complaint Log Investigation has been completed and is submitted for your approval.



Sergeant Joseph Maraffino #2563
Investigations Division
General Investigations Section

Approved: 

Case Management Supervisor
Investigations Division
General Investigations Section

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1049934TYPE
CRDATE OF REPORT
06-SEP-2012

INSTRUCTIONS: To be used in all cases that are to be classified as either **EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT**, or in **SUSTAINED** cases where the Disciplinary Recommendation does not exceed **Five (5) DAYS SUSPENSION**.

TO: DEPUTY SUPERINTENDENT, BUREAU OF PROFESSIONAL STANDARDS
ATTENTION: CHIEF, INTERNAL AFFAIRS DIVISION

| FROM - INVESTIGATOR'S NAME | RANK | STAR NO | EMPLOYEE NO | UNIT ASSIGNED | UNIT DETAILED |
|----------------------------|------|---------|-------------|---------------|---------------|
| MARAFFINO, JOSEPH | 9171 | 2563 | | 121 | |

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

| | | | |
|--------------------------|--|---------------------------------------|------------------|
| INCIDENT ADDRESS: | | DATE / TIME: 10-NOV-2011 11:11 | BEAT: 113 |
|--------------------------|--|---------------------------------------|------------------|

ACCUSED

| NAME | RANK | STAR NO | EMP NO | UNIT ASSIGNED | UNIT DETAILED | SEX/RACE | DOB | APPOINTED DATE | ON DUTY ? | SWORN ? |
|-----------------|------|---------|--------|------------------|------------------|----------|-----|-------------------|--------------|------------|
| RIVERA, RICARDO | 9171 | 943 | | 116 | | M / S | | 02-DEC-1991 | YES | YES |

REPORTING PARTY

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|---------------|-----------------------------------|------------|-----------|------------|-----------|
| SCHMIT, SUSAN | RANK: 9173, STAR NO: 220, EMP NO: | | | F / WHI | / 54 |

VICTIMS

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
|------|----------|------------|-----------|------------|-----------|

WITNESSES

| NAME | ADDRESS* | CITY STATE | TELEPHONE | SEX / RACE | DOB / AGE |
|------|----------|------------|-----------|------------|-----------|
|------|----------|------------|-----------|------------|-----------|

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

Complaint Log type is classified as CR, sworn affidavit not required

ALLEGATION: It is alleged that on 10 November 2011 the accused was arrested for "Contempt of Court" at the

SUMMARY

Upon receiving this assignment for investigation the undersigned reviewed the Initiation Report that was submitted by Lt. Susan Schmidt of the Deployment Operations Center. In that report Schmidt relates that she received a phone call from the accused, Sgt. Ricardo Rivera #943, stating that he was attending a Divorce Court Hearing regarding his divorce. The accused then related that the judge threatened to hold him contempt of court regarding a property issue. Later the accused called back and stated that he was arrested by the Cook County Sheriff's Police for Contempt of Court.

Sgt. Daniel Mahoney of BIA was dispatched to the Daley center to speak with the accused and relieve him of his police powers. Sgt. Mahoney ordered the accused to report to BIA on 14 November 2011 with any paperwork from the court and his equipment.

The Complimentary and Disciplinary Histories are attached for this case.

Based on the fact that the accused, Sgt. Ricardo Rivera, and the Chicago Police Department came to an agreement, this case was mediated with a SUSTAINED finding.

ATTACHMENTS

| INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER | INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER: | PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS: | TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE: |
|--|--|---|---|
| 0 | 0 | 0 | 9 |

FINDINGS - RECOMMENDATIONS

FINDINGS:

Accused: Sgt. Ricardo Rivera #943, employee # [REDACTED], assigned to Unit 116

Allegation: SUSTAINED-Violation of Department Rule #1, "Violation of any law or ordinance," in that on 10 November 2011 the accused was arrested for "Contempt of Court" at the [REDACTED]

RECOMMENDATION: Based on the "SUSTAINED" findings of the investigation, the time of day the incident took place, and after reviewing the Complimentary and Disciplinary Histories of the accused, it was mediated that the accused, Sgt. Ricardo Rivera #943, employee # [REDACTED], be given a **VIOLATION NOTED**.

DATE INITIATED
(Date incident was received for investigation)

17-NOV-2011

DATE COMPLETED (Date of this report)

06-SEP-2012

ELAPSED TIME
(Total time expressed in days)

294

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

[Signature] #2523

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

Attachments

Add Attachment

| No. | Type | Related Person | No. of Pages | Narrative | Original in File | Entered By | Entered Date/Time | Status | Approve Content? | Approve Inclusion? | Comments |
|------------------------|--|----------------|--------------|------------------------------------|------------------|-------------------|-------------------|-------------------|------------------|--------------------|----------|
| View 1 | FACE SHEET | N/A | | | | WOLFE, DIANE | 10-NOV-2011 12:46 | [EDIT] | | | |
| View 2 | CONFLICT CERTIFICATION | N/A | | | | MARAFFINO, JOSEPH | 21-NOV-2011 19:26 | [EDIT] | | | |
| View 3 | SWORN AFFIDAVIT FROM COMPLAINANT | N/A | 1 | | YES | MARAFFINO, JOSEPH | 06-SEP-2012 21:53 | APPROVED [EDIT] | | YES | |
| View 4 | INITIATION REPORT | N/A | 1 | LT. SCHMIT #220 | NO | WOLFE, DIANE | 10-NOV-2011 14:02 | APPROVED [EDIT] | | YES | |
| View 5 | IAD SYNOPTIC REPORT | N/A | 2 | Synoptic and Duty Restriction Form | YES | MARAFFINO, JOSEPH | 06-SEP-2012 22:20 | APPROVED [EDIT] | | YES | |
| View 6 | COURT DOCUMENTS (E.G., CIVIL COMPLAINTS, BOND SLIPS) | N/A | 1 | Bond Slip | YES | MARAFFINO, JOSEPH | 06-SEP-2012 22:27 | APPROVED [EDIT] | | YES | |
| View 7 | COMPLIMENTARY HISTORY | N/A | 1 | | YES | MARAFFINO, JOSEPH | 06-SEP-2012 23:02 | APPROVED [EDIT] | | YES | |
| View 9 | REPORT (OTHER) | N/A | 1 | Mediation Agreement | YES | MARAFFINO, JOSEPH | 06-SEP-2012 23:01 | APPROVED [EDIT] | | YES | |